

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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JUAN PACHECO, et al.,	)	
	)	
Plaintiffs,	)	Case No. 1:09-cv-298
	)	
v.	)	Honorable Robert Holmes Bell
	)	
BOAR'S HEAD PROVISIONS CO., INC.,	)	
	)	
Defendant.	)	
	)	

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**PROTECTIVE ORDER REGARDING DEPOSITION QUESTIONS**

This matter came on for hearing on plaintiffs' motion for a protective order (docket # 39) and defendant's motion to compel answers to deposition questions (docket # 44). At a hearing conducted on August 3, 2009, the court concluded that questions directly involving a party's immigration status sought irrelevant or marginally relevant information and that their utility was outweighed by the probability of witness intimidation. The court further concluded that questions concerning a witness's subjective reactions to employment actions were irrelevant and inflammatory. Accordingly, for the reasons set forth more fully on the record:

IT IS ORDERED that plaintiffs' motion for protective order (docket # 39) and defendant's motion to compel (docket # 44) be and hereby are GRANTED IN PART AND DENIED IN PART as follows:

A. Defense counsel may not inquire directly concerning the past or present immigration status of any plaintiff or the issue of any plaintiff's legal right

to be employed under United States law. Defense counsel may not inquire concerning any plaintiff's alleged use of false names, false identification documents, or aliases in prior employment. Defense counsel may inquire concerning work history.

B Defense counsel may inquire concerning the circumstances surrounding any plaintiff's termination from employment or other discipline and concerning agency proceedings regarding the claims presented in the present case. Defense counsel may not inquire concerning any plaintiff's feelings or subjective reactions regarding any of the foregoing subjects.

DONE AND ORDERED this 3rd day of August, 2009.

/s/ Joseph G. Scoville

United States Magistrate Judge